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OFFICE OF PETITIONS

In re Application of
Cook
Application No. 10/782,712
Filed: February 18, 2004
Attorney Docket No. LOWM110
For: ERGONOMIC DUTY BELT

:
: DECISION ACCORDING
: STATUS UNDER
: 37 CFR 1.47(b)
:
:

This is in response to the reconsideration petition under 37 CFR 1.47(b), filed October 18, 2004 (certificate of mailing date October 12, 2004). The petition was only recently forwarded to the Office of Petitions.

The petition under 37 CFR 1.47(b) is granted.

Petitioner has shown that the non-signing inventor, Clifton Cook, has refused to join in the filing of the above-identified application after having been presented with the application papers. Specifically, the declaration of facts of Attorney Robert L. Shaver establishes that the complete application was sent to Inventor Cook and that Inventor Cook's attorney informed Attorney Shaver that Inventor Cook would not execute the declaration for patent application. In addition, petitioner has shown that Tactical Design Labs, Inc., has a proprietary interest in the above-identified application with the assignment signed by Inventor Clifton Cook that gives his rights in the invention to Tactical Design Labs, Inc. Lastly, petitioner has submitted a declaration in compliance with 37 CFR 1.63 and 1.64 and petitioner has shown that such action is necessary to prevent irreparable damage.

This application and papers have been reviewed and found in compliance with 37 CFR 1.47(b). This application is hereby accorded Rule 1.47(b) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

After this decision is mailed, the above-identified application will be forwarded to Technology Center A.U. 3782 for examination in due course.

Telephone inquiries may be directed to the undersigned at (571) 272-3230.

A handwritten signature in black ink, reading "Shirene Willis Brantley". The signature is written in a cursive, flowing style.

Shirene Willis Brantley
Senior Petitions Attorney
Office of Petitions



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OFFICE OF PETITIONS

In re Application of
Cook
Application No. 10/782,712
Filed: February 18, 2004
Attorney Docket No. LOWM110
For: ERGONOMIC DUTY BELT

Letter

Dear Mr. Cook:

You are named as the sole inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(b), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as the sole inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application.

Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Requests for information regarding your application should be directed to the File Information Unit at (703)308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703)308-9726 or 1(800)972-6382 (outside the Washington D.C. area).

Telephone inquiries regarding this communication should be directed to the undersigned at (571) 272-3230.

Shirene Willis Brantley
Senior Petitions Attorney
Office of Petitions

ATTORNEY OF RECORD:

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